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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CELERINA NAVARRO, JANET STEVENS,
ARMANDO COVARRUBIAS, EVELYN
ESTRADA, GABRIEL RANGEL JAIME,
ALMA ALDACO, and all others similarly
situated,

Plaintiffs,

v.

THE CITY OF MOUNTAIN VIEW,

Defendant.

Case No. 5:21-cv-05381-NC

**JOINT CASE MANAGEMENT
STATEMENT, FED. R. CIV. P. 26(f)
REPORT AND [PROPOSED] ORDER**

Case Management Conference

Date: September 14, 2022

Time: 10:00 a.m.

Judge: Hon. Nathanael Cousins

Pursuant to the Court's Case Management Conference Order, the Standing Order for All Judges of the Northern District of California, Civil Local Rule 16-10(d), and this Court's order (ECF No. 103), the Parties, by and through their undersigned counsel, jointly submit this Second Joint Case Management Statement.

I. STATUS OF SETTLEMENT

As reported by the Parties on August 24, 2022 (ECF No. 99) and August 30, 2022 (ECF No. 102), after nine months of negotiations, counsel for the Parties reached a tentative settlement agreement in this matter. The City and several Plaintiffs have now executed that agreement. Plaintiffs' attorneys are still in the process of gathering the signatures of the remaining Plaintiffs and expect to have most if not all of those signatures by early next week. As the Court is aware, Plaintiffs are houseless individuals living in their vehicles on the streets of Mountain View and several have recently relocated due to construction on the street where they parked. Plaintiffs' counsel will update the Court at the Case Management Conference on September 14, 2022.

Because the Parties' settlement agreement would fully resolve all claims raised in the litigation, the Parties do not expect to further litigate the case, except as noted below.

II. MOTIONS

Within thirty days of executing the settlement agreement, the Parties intend to jointly move for preliminary approval of the class settlement pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure, and to jointly move for final approval of the class settlement at a date and time set by the Court. Plaintiffs' will also move for attorneys' fees and costs at the date and time set for the hearing on final approval.

III. SCHEDULING

The Court ordered the following schedule in its June 27, 2022 Order Granting in Part and Denying in Part Stipulation to Continue Case Schedule (ECF No. 98):

Event	Date
Fact discovery closes	November 25, 2022

Concurrent disclosure of opening expert witnesses and reports by both parties on issues for which party bears burden of proof	November 25, 2022
Concurrent disclosure of rebuttal expert witnesses and reports by both parties	December 29, 2022
Expert discovery closes	January 19, 2023
Last day for dispositive motions to be filed	December 21, 2022
Last day for hearing on dispositive motions	March 6, 2023
Pretrial statements due	April 24, 2023
Pretrial Conference	May 6, 2023
Trial	June 12, 2023

The Court has also ordered the case stayed through September 14, 2022. ECF No. 103. In light of the anticipated execution of the settlement agreement, the Parties respectfully propose the dates above be further stayed through the date of the hearing on the preliminary approval of the class settlement.

Respectfully submitted,

DATED: September 9, 2022

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1 *Attorneys for Defendant*
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3 **L.R. 5-1 ATTESTATION**

4 I, Erin Neff, attest that all signatories listed herein, and on whose behalf this filing is
5 submitted, concur in this filing's content and have authorized this filing.

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7 By: /s/ _____
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CASE MANAGEMENT ORDER

The above JOINT CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER is approved as the Case Management Order for this case and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated: _____

HON. NATHANAEL COUSINS
United States Magistrate Judge